

## **REMARKS**

This Amendment is in response to an Office Action mailed January 26, 2007. In the Office Action, claim 12 has been objected to and claims 1-9 and 11-47 are rejected under 35 U.S.C. §103(a). Claims 1-4, 12, 14, 16, 21, 26, 32 and 39 have been amended. Claims 8, 17, 28 and 45 have been cancelled without prejudice. Reconsideration and withdrawal of the rejections in light of the Amendments and Remarks made herein is respectfully requested.

### ***Request for Examiner's Interview***

Applicants respectfully request the Examiner to contact the undersigned attorney by telephone at the phone number listed below if, after review, such claims are still not in condition for allowance. This telephone conference would greatly facilitate the examination of the subject application.

### ***Claim Objection***

Claim 12 has been objected to based on alleged informalities. In response, Applicants have made adjustments in the tense of certain terms in order to address the Examiner's objection. Withdrawal of the objection is respectfully requested.

### ***Rejection Under 35 U.S.C. § 112***

Claim 10 has been rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite. Applicants respectfully submit that this rejection is in error because claim 10 was previously amended to address the trademark recitations.

Applicants respectfully request the Examiner to withdraw the rejection of Claim 10 under 35 U.S.C. §112, second paragraph.

### ***Rejection Under 35 U.S.C. §103***

Claims 1-9 and 11-47 under 35 U.S.C. §103(a) as being unpatentable over England (U.S. Patent No. 6,938,164) in view of Schneier's and Fries (U.S. Patent No. 7,036,023). Applicants respectfully traverse the rejection because a *prima facie* case of obviousness has not been established.

As the Examiner is aware, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. *See MPEP §2143; see also In Re Fine, 873 F. 2d 1071, 5 U.S.P.Q.2D 1596 (Fed. Cir. 1988).* Herein, the combined teachings of the cited references fail to describe or suggest all of the claim limitations.

For instance, with respect to independent claims 1, 12, 21, 32 and 39, Applicants respectfully submit that none of the cited references, either individually or in combination, describe or suggest that the signed hash digest is accessible to an outside entity to verify whether the contents can be trusted. This "outside entity" is a device or user that is separate from the trustable operating system, computer or article of manufacturer implemented with the claimed invention. Rather, the member controller of England utilizes a member controller to conduct the verifications. *See col. 5, lines 49-65 and col. 14, lines 10-24 of England*. These operations are internal operations within the computer (or system) and do not suggest the availability of the signed hash digest to an outside entity as claimed.

Moreover, none of the cited references suggest loading content into the identified region under control by the first processor. Rather, England teaches the halting of the CPUs and other bus masters while the memory controller performs operations, as identified in the summary of the invention section of England. The CPUs are reset by the microcontroller and thus the first processor would not have any involvement in the loading of content in the identified region in order to load a trustable operating system.

### ***Conclusion***

Applicants reserve all rights with respect to the applicability of the doctrine of equivalents. Applicants respectfully request that a timely Notice of Allowance be issued in this case.

*Authorization for Extension of Time, All Replies*

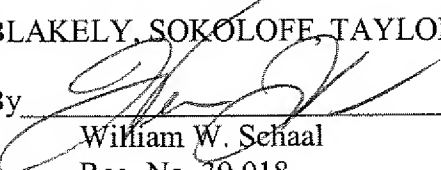
Authorization is given to treat any concurrent or future reply, requiring a petition for an extension of time under 37 CFR 1.136(a) for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. If any other petition is necessary for consideration of this paper, it is hereby so petitioned. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such deposit account.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: April 26, 2007

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